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FOR IMMEDIATE RELEASE
September 22, 2011
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FORMER LAKE COUNTY SHERIFF'S OFFICERS INDICTED

Hammond, Indiana- A federal grand jury returned an Indictment against three Lake County Sheriff's Officers alleging federal firearms and tax violations, announced David Capp, United States Attorney for the Northern District of Indiana. United States Attorney Capp also announced that all three defendants have agreed to plead guilty to the indictment.

Edward Kabella, 42, a patrol officer with the Lake County Sheriff's Department, and Joseph Kumstar, 40, the former Deputy Chief for the Lake County Sheriff's Department, both of Crown Point, Indiana, were each charged with one count of conspiring to provide false information to a Federal Firearms Licensee, one count of conspiring to defraud an agency of the United States, the Food and Drug Administration, and one count of making false statements under oath on a tax return.

Ronald D. Slusser, 47, of Crown Point, Indiana, a SWAT team officer and firearms instructor with the Lake County Sheriff's Department, was charged with one count of conspiring to provide false information to a Federal Firearms Licensee, one count of conspiring to defraud an agency of the United States, the Food and Drug Administration, one count of making false statements under oath on a tax return, and one count of laundering/structuring of monetary instruments.

Between September of 2008 through January of 2010, Kabella, Kumstar and Slusser, used their positions as sworn law enforcement officers to acquire approximately 74 fully

automatic H&K machineguns in the name of the Lake County Sheriff's Department knowing that the Lake County Sheriff's Department was not the true owner of these machineguns. When acquiring the machineguns, the defendants knew the machineguns could only be acquired by law enforcement agencies and not individual law enforcement officers. The purchases were made using Lake County Sheriff's Department letterhead and purchase orders, with the defendants providing their own funds for payment. The machineguns were shipped to the Sheriff's Department and then removed to Slusser's residence. The barrels and additional parts from the machineguns were removed and sold on the internet.

Kabella, Kumstar and Slusser, using the same method in acquiring the machine guns, used their positions as sworn law enforcement officers to purchase approximately 92 laser aiming sight devices which they then resold on the internet. Their fraudulent representations that these were being purchased by the Lake County Sheriff's Department caused false information to be recorded in the books and records of the manufacturers, thereby interfering with the FDA's ability to correctly identify first line purchasers of these devices that are restricted to military or law enforcement agencies.

The Indictment also alleges that all three defendants understated their total income on tax returns filed with the Internal Revenue Service. Count three alleges that Slusser understated his 2006 income by \$298,566. Count five alleges that Kumstar understated his 2009 income by \$30,102.49. Count six alleges that Kabella understated his 2009 income by \$58,515.78. The indictment also charges Slusser with money laundering in Count four alleging that he conducted cash withdrawals from various First Midwest Banks which involved the proceeds of unlawful activity.

Dan Henson, Special Agent in Charge of the FDA's Chicago Office of Criminal Investigations, said, "It's unfortunate when persons in positions of trust allow their greed to cause them to disregard their oath to enforce the law, and subsequently betray and endanger the public they serve. This investigation is an excellent example of cooperation between several law enforcement agencies with a common goal and a U.S. Attorney's Office that would not allow this blatant disregard to continue."

These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Department of Defense Criminal Investigation Service, the Federal Bureau of Investigation, the U.S. Food and Drug Administration, Office of Criminal Investigations, the Internal Revenue Service, and the Indiana State Police. This case has been assigned to and will be prosecuted by Assistant United States Attorney Philip Benson.

The United States Attorney's Office emphasized that an Indictment is merely an allegation and that all persons charged are presumed innocent until and unless proven guilty in court.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.